



ANNO DECIMO OCTAVO

# ELIZABETHAE II REGINAE

A.D. 1969

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## No. 60 of 1969

An Act to amend the Renmark Irrigation Trust Act, 1936-1966.

[Assented to 4th December, 1969.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Renmark Irrigation Trust Act Amendment Act, 1969". Short titles.
- (2) The Renmark Irrigation Trust Act, 1936-1966, as amended by this Act, may be cited as the "Renmark Irrigation Trust Act, 1936-1969".
- (3) The Renmark Irrigation Trust Act, 1936-1966, is hereinafter referred to as "the principal Act".
2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.
3. Section 5 of the principal Act is amended by inserting after the definition of "township" the following definition :— Amendment of principal Act, s. 5—  
Interpretation.

"the Land and Valuation Court" means the Land and Valuation Court constituted under the Supreme Court Act, 1935-1969 .:
4. Section 86 of the principal Act is amended— Amendment of principal Act, s. 86—  
Hearing of appeals.
  - (a) by striking out from subsection (1) the passage "local court of full jurisdiction nearest to the trust office" and inserting in lieu thereof the passage "Land and Valuation Court";

(b) by striking out from subsection (3) the passage "said local court" and inserting in lieu thereof the passage "Land and Valuation Court";

and

(c) by striking out subsection (3).

Amendment of  
principal Act,  
s. 87—  
Time for  
appealing.

**5. Section 87 of the principal Act is amended—**

(a) by striking out from subsection (1) the passage "or to the local court direct";

(b) by inserting after subsection (1) the following subsection :—

(1a) Every appeal directly to the Land and Valuation Court must be commenced within twenty-one days after notice of the adoption or making of the assessment is published in the *Gazette*, or notice of the alteration or rectification of, or addition to, an assessment is given, in accordance with the appropriate rules of the Supreme Court ;

(c) by striking out from subsection (2) the passage "if the appeal is to the local court the notice shall be given to the clerk of the local court, and also to the secretary" and inserting in lieu thereof the passage "if the appeal is made to the Land and Valuation Court, notice shall be given, in accordance with the appropriate rules of the Supreme Court, to the secretary";

and

(d) by striking out subsection (3) and inserting in lieu thereof the following subsection :—

(3) Appeals made directly to the Land and Valuation Court shall be heard as soon as practicable after the expiration of twenty-seven days from the day on which the notice is published in the *Gazette*, or notice of the alteration, rectification or addition is given.

Amendment of  
principal Act,  
s. 88—  
Powers on  
appeal.

**6. Section 88 of the principal Act is amended—**

(a) by striking out the passage "local court" first occurring and inserting in lieu thereof the passage "Land and Valuation Court";

and

(b) by striking out the passage "if the appeal is to the trust, or by the clerk of the local court if the appeal is to the local court".

## 7. Section 89 of the principal Act is amended—

Amendment of  
principal Act,  
s. 89—Appeals from  
decisions  
of the trust.

(a) by striking out from subsection (1) the passage “by a notice in the form in the sixth schedule, or in a form to the like effect, with such modifications as circumstances may require” and inserting in lieu thereof the passage “in accordance with the appropriate rules of the Supreme Court” ;

(b) by striking out subsection (2) and inserting in lieu thereof the following subsection :—

(2) Notice of appeal, in the form prescribed by the rules of the Supreme Court must be served on the secretary within ten days after the trust gives it decision. ;

(c) by striking out subsection (3) and inserting in lieu thereof the following subsection :—

(3) The appeal shall be heard as soon as practicable after the expiration of ten days from the day on which the notice of appeal is served on the secretary.;

(d) by striking out from subsection (4) the passage “local court” first occurring and inserting in lieu thereof the passage “Land and Valuation Court” ;

and

(e) by striking out from subsection (4) the passage “by the clerk of the local court”.

## 8. Section 90 of the principal Act is amended—

(a) by striking out the passage “local court” first occurring and inserting in lieu thereof the passage “Land and Valuation Court” ;

Amendment of  
principal Act,  
s. 90—  
Costs.

and

(b) by striking out the whole of the second sentence of that section.

9. Section 165 of the principal Act is amended by striking out the passage “Local Court of Adelaide of full jurisdiction” and inserting in lieu thereof the passage “Land and Valuation Court”.

Amendment of  
principal Act,  
s. 165—  
Compensation.

Repeal of  
s. 166 of  
principal Act  
and enactment  
of section  
in its place.

Procedure  
and powers  
of court.

10. Section 166 of the principal Act is repealed and the following section is enacted and inserted in its place:—

166. (1) The practice and procedure applicable to and in relation to claims for compensation shall be as prescribed by the appropriate rules of the Supreme Court.

(2) The Land and Valuation Court may give such judgment, and may make such orders for costs and other ancillary matters, on a claim for compensation as it thinks just.

Repeal of  
s. 167 of  
principal Act.

11. Section 167 of the principal Act is repealed.

Amendment of  
principal Act,  
s. 168—  
Incomplete  
works.

12. Section 168 of the principal Act is amended—

(a) by striking out the passage “Supreme Court or a judge thereof” and inserting in lieu thereof the passage “Land and Valuation Court”;

and

(b) by striking out the passage “Supreme Court or judge” and inserting in lieu thereof the passage “Land and Valuation Court”.

Amendment of  
fifth schedule  
to principal  
Act.

13. The fifth schedule to the principal Act is amended by striking out the passage “(or Local Court of full jurisdiction, *as the case may be*)” and the passage “or to the secretary of the Renmark Irrigation Trust ; and to the clerk of the Local Court of [*as the case may be*].”

Repeal of  
sixth schedule  
to principal  
Act.

14. The sixth schedule to the principal Act is repealed.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. W. HARRISON, Governor.